

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
08-CR-186

JEROME CROSBY,
WALLACE PEACE, et al.

Defendants.

This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(A). Defendant Wallace Peace filed a motion to suppress statements and other relief. On August 5, 2010, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant Wallace Peace's motion to suppress be granted in part and denied in part.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant Wallace Peace's motion seeking suppression of statements and other relief is granted as to his pre-warning statement as to whether he had guns or drugs on the premises and

denied as to his post-warning statements (including his written statement). This case is referred back to Magistrate Judge Scott for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: August 20, 2010